

1. On June 24, 2016, the Commission filed its Complaint in this case. *See* Doc. 1. That same day, the Clerk issued a Summons against BECC. *See* Doc. 5, pp. 3-4.
2. On July 9, 2016, the Commission served BECC through Defendant Jeremy Wagers, BECC's Chief Operating Officer and General Counsel. *See* Doc. 18.
3. On July 19, 2016, counsel for the Commission was contacted by Lance Pool of the law firm Friedman & Feiger, LLP. *See* Exhibit 1, the Declaration of B. David Fraser in support of the Commission's request for the Clerk to enter default against Defendant Breitling Energy Corporation ("Fraser Dec"), at ¶4. Mr. Pool advised the Commission's counsel that he and his firm represented Defendants Christopher Faulkner, Jeremy Wagers, and BECC in this action, and that he wanted to negotiate a deadline by which all three Defendants needed to answer, or otherwise respond to, the Complaint. *Id.* Counsel for the Commission agreed that all three Defendants could have until August 15, 2016 to file their answers. *Id.*
4. On August 11, 2016, the Commission contacted Mr. Pool to apprise him that the Commission intended to file an amended complaint that day. *Id.* at ¶5. Later that day, the Commission filed its First Amended Complaint and served it on Defendant BECC by mailing it – and emailing it – to Mr. Pool. *See* Doc. 22; Fraser Dec, at ¶5.
5. Because the Commission served the First Amended Complaint on BECC's counsel by mail, BECC had 17 days after service of the First Amended Complaint to file an answer or to otherwise respond. *See* FED. R. CIV. P. 15(a)(3); FED. R. CIV. P. 6(d). Thus, BECC's Answer to the Commission's First Amended Complaint was due by August 29, 2016.
6. On August 25, 2016, counsel for the Commission was contacted by another attorney who advised the Commission that he would be representing BECC going forward and

asked if the Commission would agree extend BECC's Answer deadline by two weeks. *See* Fraser Dec, at ¶8. The Commission agreed to extend BECC's Answer date by two weeks – to September 12, 2016. *Id.* However, on August 29, 2016, this second attorney informed the Commission that he would not be representing BECC. *Id.* at ¶9. To date, neither BECC personnel nor any attorney claiming to represent BECC has contacted counsel for the Commission to seek an additional extension of time to answer the First Amended Complaint, or to otherwise explain BECC's 18-day (and counting) deficiency in filing an answer. *Id.* at ¶11.

7. As reflected above, BECC's answer was due on September 12, 2016. However, to date, BECC has neither filed an answer to the Complaint or First Amended Complaint, nor otherwise defended in this litigation. *Id.*

DATED: September 30, 2016

/s/ B. David Fraser

B. DAVID FRASER

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SECURITIES AND EXCHANGE COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that on September 30, 2016, I electronically filed the foregoing *Request for Clerk to Enter Default Against Defendant Breitling Energy Corporation* via the Court's Plaintiff's Request for Clerk to Enter Default Against Defendant Breitling Energy Corporation
SEC v. Faulkner, et al.

CM/ECF filing system, which will send a notice of electronic filing to all CM/ECF participants. I further certify that I served a true and correct copy of the foregoing document and the notice of electronic filing via UPS and electronic mail on all non-CM/ECF parties and/or their counsel as detailed below:

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<p>Jeremy S. Wagers 2820 McKinnon Street, Unit 3028 Dallas, TX 75201 jwagers@breitlingenergy.com <i>Defendant Pro Se</i></p>	<p>Joseph Simo c/o Chance Leigh, executor 304 Sutton Place Georgetown, TX 78628 <i>Defendant Pro Se</i></p>
<p>Alex More (requested email service only) Carrington Coleman 901 Main St., Suite 5500 Dallas, TX 75202 amore@CCSB.com <i>Counsel for Defendant Gilbert R. Steedley</i></p>	<p>Carole Faulkner 4010 Ambleside Ct. Colleyville, TX 76034 Faulkner4010@yahoo.com <i>Counsel for Defendant Breitling Energy Corp.</i></p>
<p>Karen Cook, PLLC Karen Cook 700 Park Seventeen Tower 1717 McKinney Ave. Dallas, TX 75202 Karen@karencooklaw.com <i>Counsel for Defendants Parker R. Hallam Crude Energy, LLC</i></p>	<p>Michael P. Gibson Burleson, Pate & Gibson, LLP Founders Square 900 Jackson St., Suite 330 Dallas, TX 75202 mgibson@bp-g.com <i>Counsel for Beth C. Hankins</i></p>

/s/ B. David Fraser
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